

CALL TO ORDER

Mayor Dziubek opened the meeting at 7:10 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; mailed electronically to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

FLAG SALUTE

ROLL CALL - Present: Mr. Severino, Mr. Mazza, Mrs. Dziubek,
Absent at the time of Roll Call: Mr. Haynes, Mr. Bischoff
Others Present: Ella M. Ruta, Township Clerk, J. Peter Jost, Esq.

APPROVAL OF MINUTES

- a. Regular and Executive Session Meeting Minutes of June 17, 2009.

A motion made by Mr. Severino to approve the Regular and Executive Session Meeting Minutes of June 17, 2009. Mr. Mazza seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion Carried.

VISITORS

- a. Traci Fleming, Animal Control Officer and Jim Fleming. It was determined that Ms Fleming would require additional assistance to complete the canvass. Mr. Fleming would volunteer at no cost to the Township to assist.

Mr. Severino made a motion to authorize Traci Fleming to utilize Jim Fleming ‘s volunteering assistance in performing the dog canvass with the stipulation and understanding that he is not an employee and he is not to receive any compensation . Mr. Fleming is doing this strictly voluntarily to help the Township and to assist his wife in doing the dog and cat census. Mr. Mazza seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion Carried.

Traci Fleming and Mr. Fleming were advised to wear identification at all times during the canvass.

Mr. Mazza amended the above motion making Mr. Jim Fleming an authorized volunteer of the township assisting in the dog and cat census. The Animal Control Officer and Mr. Fleming shall have identification as authorized agents of the township. Mr. Severino seconded the motion as amended. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion Carried.

Discussion concerning animal licenses, late fees and newly discovered animals.

Mr. Severino made a motion to waive the animal licensing late fees on newly discovered animals for the period of the canvass (September 1, 2009) and for 10 days thereafter there will be a 10 day grace period. Mr. Mazza seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion Carried.

Mr. Mazza made a motion to amend the above motion for the date to be effective June 18, 2009. Mr. Severino seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion Carried.

REPORTS RECEIVED

- a. Road Dept.- Week Ending 6/12/09; 6/19/09
- b. Construction Dept – June 2009. The attorney will check concerning continuing monthly reports.
- c. Animal Control Officer – June 2009.
- d. Tax Collector – June 2009

CORRESPONDENCE

Mr. Severino mentioned the following correspondence:

- NJDCA letter to mayors in regards to COAH. Brief discussion followed.
- Omni Environmental LLC, 6/17/09. Copy of an Application from DEP for a LOI for parcel on Village Road.

Mr. Mazza mentioned the following correspondence:

- Marcia Karrow – Legislation sponsored by Senators Marcia Karrow and Steve Oroho that would give municipalities a two-year extension on the deadline for training a certified recycling coordinator passed the Senate. The bill now goes to the governor's desk for signature.

Mrs. Dziubek mentioned the following correspondence:

- Mayors Fax Advisory – Age Restricted Conversion. Senate voted in favor of allowing conversion of age-restricted units to market rate units.

PUBLIC COMMENTS - None

PUBLIC HEARING – 2nd reading

OLD BUSINESS –

- a. Discussion – Union Township Municipal Offices Organizational Chart. Tabled.

NEW ORDINANCE – 1ST Reading

NEW BUSINESS

- a. The following resolution introduced for adoption:

**RESOLUTION #2009-
MAX SPANN REALTY
AUTHORIZING SALE OF DEED-RESTRICTED FARM PROPERTY
BLOCK 29, LOT 13, TOWNSHIP OF UNION (“DOUGLASS FARM”)**

Tabled at this time.

- b. The following resolution introduced for adoption:

**RESOLUTION 2009-105
Excavation Bond Refund, Block 15, Lot 10.02
Greg & Tina Horun, 3 Scotch Willey Lane
Hampton, NJ 08827**

WHEREAS, Greg and Tina Horun, did post an excavation bond in the amount of \$500.00 for work performed at Block 15 Lot 10.02 in the Township, and

WHEREAS, the work and inspections are complete, and

WHEREAS, the construction department has requested that this bond now be released back to Greg & Tina Horun,

NOW, THEREFORE, BE IT RESOLVED, that the excavation bond in the amount of \$500.00, be released to Greg and Tina Horun,

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Mr. Mazza made a motion to adopt the above resolution. Mr. Severino seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion carried.

c. The following resolution introduced for adoption:

RESOLUTION 2009-106
Excavation Bond Refund, Block 15.01, Lot 1
KURT HOFFMAN, 470 COUNTY RT. 614
ASBURY, NJ 08802

WHEREAS, Kurt Hoffman, did post an excavation bond in the amount of \$500.00 for work performed at Block 15.01 Lot 1, in the Township, and

WHEREAS, the work and inspections are complete, and

WHEREAS, the construction department has requested that this bond now be released back to Kurt Hoffman,

NOW, THEREFORE, BE IT RESOLVED, that the excavation bond in the amount of \$500.00, be released to Kurt Hoffman,

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Mr. Severino made a motion to adopt the above resolution. Mr. Mazza seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion carried.

d. The following resolution introduced for adoption:

RESOLUTION 2009-107
Excavation Bond Refunds
Toll Brother's Inc., Lookout Pointe
Block 11, Lot 8.28
Block 11, Lot 8.32
Block 11, Lot 8.27

WHEREAS, Toll Brother's, Inc., did post excavation bonds in the amount of \$500.00 for work performed at Block 11 Lot 8.28, Block 11 Lot 8.32, and Block 11 Lot 8.27, in the Township, and

WHEREAS, the work and inspections are complete, and

WHEREAS, the construction department has requested that these bonds now be released back to Toll Brother's, Inc.

NOW, THEREFORE, BE IT RESOLVED, that these excavation bonds totaling \$1,500.00, be released to Toll Brother's, Inc.,

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Mr. Severino made a motion to adopt the above resolution. Mr. Mazza seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion carried.

e. The following resolution introduced for adoption.

RESOLUTION 2009-108
Grading and Seeding Bonds
Toll Brother's, Inc., Lookout Pointe Subdivision
Block 11 Lot 8.28
Block 11 Lot 8.32
Block 11.01 Lot 17
Block 11.01 Lot 22 (Townhouses)

WHEREAS, Toll Brother's Inc., did post grading and seeding bonds in the amount of \$2,500.00 for work performed at Block 11 Lot 8.28, Block 11 Lot 8.32, Block 11.01 Lot 17 and \$4,000.00 for Block 11.01 Lot 22, in the Township, and

WHEREAS, the work and inspections are complete, and Maser Consulting in a letter dated June 25, 2009 did confirm the completion of the work, and

NOW, THEREFORE, BE IT RESOLVED, that the grading and seeding bonds in the amount of \$11,500.00, be released to Toll Brother's Inc.,

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Mr. Mazza made a motion to adopt the above resolution. Mr. Severino seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion carried.

f. The following resolution introduced for adoption:

RESOLUTION 2009-109
RE: DAVID NENNA
BLOCK 30 Lot 1.03
50 PERRYVILLE ROAD
PITTSTOWN, NJ 08867
ROAD OPENING INSPECTION FEE REFUNDS

WHEREAS, Dr. David Nenna, posted a \$500.00 Road Opening inspection fee for work at 50 Perryville Road, and

WHEREAS, Dr. Nenna has requested refunds for the unused portion of these fees, and

WHEREAS, Nevitt S. Duveneck, P.E. of Finelli Engineering, in a letter dated May 1, 2009, did state that the work and inspections are complete, and that the unused portion of the escrow fee should be refunded to Dr. David Nenna, and

WHEREAS, the unused amount of escrow is \$445.00,

NOW, THEREFORE, BE IT RESOLVED, that the unused inspection fee in the amount of \$445.00 be released to Dr. David Nenna.

Mr. Mazza made a motion to adopt the above resolution. Mr. Severino seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion carried.

g. Motion – Finn Road Park Field use Application Approval – Recreation Committee

Mr. Mazza made a motion to approve the above application for use of Finn Road Park Field. Mr. Severino seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion carried.

Mrs. Dziubek mentioned the Recreation Committee purchase made through the internet for a website. Brief discussion followed and Mr. Mazza to speak with Mr. Hara.

REPORTS

a. **Engineer's Report** – a written copy of the report has been submitted with following topics:

- Maintenance & Repair – 2008 – Maintenance Guarantee
- Annual Stormwater Report 2008/2009
- NJDOT Local Aid Application
- Maintenance & Repair – 2009 – Brief discussion.

Mr. Severino made a motion to confirm the authorization for the advertising of bids by the Township Engineer's company for the maintenance and repair work returnable July 14th. Mr. Mazza seconded/ Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion carried.

- Efficiency and Conservation Block Grants Program – Discussion of pros and cons of filing for grants.

Mr. Mazza made a motion to authorize filing of applications for above mentioned grants subject to a review and approval of the engineer and Matt Severino. Mr. Severino seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion Carried.

- Line of Sight/Traffic Signage – Baptist Church Road
- Railroad Overpass @ Baptist Church Road
- Pattenburg Quarry/Ferreira Group

Also discussed:

Updated Pilot's issues.

Drainage at Cooks Cross Road

b. **Attorney's Report**

- Met with NJDOT representative re: Exit 78 issues. They have approved parking and standing issues on both Rt 173 and Frontage Rd. The Engineer will write DOT to ask for repainting of markings.
- Application for a variance for the Douglass Farm to put a second house on the property. Maser Consulting will give us a contract to testify as a Professional Planner/Engineer for the application.

Mr. Severino made a motion to approve a contract with Maser Consulting not to exceed \$1,000.00 in regards to the Douglass Farm application. Mr. Mazza seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion carried.

- The Attorney will write a letter to Mr. Gambony.

c. Mayor's Report

- OEM situation on Rt 78. Jeff Polenz attending situation follow-up meeting tonight.

d. Committee Reports

Mr. Severino reported the following:

- Discussion of the solid waste management contract. Waste Management Company is trying to negotiate the contract with the County. He tried contacting the County without success.

Mr. Mazza reported the following:

- Monday, July 6, Finn Road Park, UTEC and those interested in suggesting walking/hiking trails along the perimeter of the park.
- Contract for Township Pest Control was discussed and it was determined that Viking would be retained only for termite control at the Hoffman property.

Mrs. Dziubek reported the following: None

e. Clerk's Report

- Kathy Cupon, Court Administrator – Approval to attend League of Municipalities Conference, November 17-19.

Mr. Severino made a motion to approve the above request on the condition that she attends the educational programs. Mr. Mazza second. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion carried.

PUBLIC COMMENTS - None

PAYMENT OF THE BILLS

Mr. Mazza moved that all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof. Mr. Severino seconded. Vote: Ayes - Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion Carried.

At 8:42 pm Mr. Severino made a motion to temporarily adjourn to conduct the Township Board of Health Meeting. Mr. Mazza seconded. Vote: Ayes – Mr. Severino, Mr. Mazza, Mrs. Dziubek. Motion carried.

At 8:56 Mr. Severino made a motion to go back to July 1, 2009 regular Township Committee Meeting. Mr. Mazza seconded. Motion carried by favorable unanimous voice vote.

EXECUTIVE SESSION – the following resolution introduced for adoption:

RESOLUTION 2009-110
Providing for a Meeting Not Open to the Public in Accordance with the
Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. _____ *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on July 1, 2009, at 8:58 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Mr. Severino made a motion to adopt the above resolution. Mr. Mazza seconded. Vote – Ayes: Mr. Severino, Mr. Mazza, Mrs. Dziubek Motion Carried.

At 9:08 p.m., Mr. Severino made a motion to go back to public session. Mr. Mazza seconded. Vote: Ayes – Mr. Severino, , Mr. Mazza, Mrs. Dziubek. Motion carried.

ADJOURNMENT – There being no further business to come before the Township Committee at this time, Mr. Severino made a motion to adjourn. Mr. Mazza seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 9:09 p.m.

Respectfully submitted,

Pat Essig
Administrative Assistant